



On September 18, 2015, petitioners filed a Motion for Interim Attorneys' Costs in the amount of \$1,224.50, in order to obtain the hearing transcript. Petitioners' counsel stated that the ongoing attorneys' fees and costs dispute between petitioners' counsel and respondent necessitated a motion for an interim award of costs in this case. Petitioners stated that if the court denied their motion for interim costs, they would file a motion to temporarily suspend the proceedings until they were financially able to purchase the transcript. Respondent filed her response to petitioners' motion for interim costs on October 5, 2015, stating that she was leaving the award to the undersigned's discretion.

The undersigned finds that petitioner is entitled to an award of interim attorneys' costs under the unique facts and circumstances of this case. See Butler v. Sec'y of Health & Human Serv's, No. 02-1051, 2012 WL 4458203 (Fed. Cl. Spec. Mstr. June 25, 2012) (awarding interim attorneys' fees and costs over respondent's objection); Shaw v. Sec'y of Health & Human Serv's, 609 F.3d 1372, 1375 (Fed. Cir. 2010) (holding that "[w]here the claimant establishes that the cost of litigation has imposed an undue hardship and that there exists a good faith basis for the claim, it is proper for the special master to award interim attorneys' fees"). The undersigned finds that petitioners' request is reasonable.

**Accordingly, \$1,224.50, shall be awarded in the form of a check payable to petitioners and petitioners' attorney, Ronald Homer, for interim attorneys' costs.**

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with this decision unless a motion for review is filed.<sup>3</sup>

**IT IS SO ORDERED.**

**s/Nora Beth Dorsey**  
Nora Beth Dorsey  
Chief Special Master

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<sup>3</sup> Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review.